

1743

PATENT  
Attorney Docket No.: 054468-5003 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

Shila JALALI *et al.* )

Application No.: 09/724,836 )

Filed: November 28, 2000 )

For: **MICROTITER PLATE FORMAT DEVICE AND )  
METHODS FOR SEPARATING DIFFERENTLY )  
CHARGED MOLECULES USING AN )  
ELECTIC FIELD )**

Group Art Unit: 1743

Examiner: Unassigned

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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TC 1700 MAIL ROOM

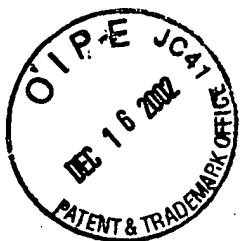
**REVOCATION OF POWER OF ATTORNEY AND  
GRANT OF NEW POWER OF ATTORNEY BY ASSIGNEE**

Pursuant to 37 C.F.R. 1.36, **NANOGEN, INCORPORATED**, the Assignee of the above-identified application by an Assignment recorded with the U.S. Patent Office at Reel 011343, Frame 0543 (copy attached), through its duly-appointed representative, hereby revokes all previous powers of attorney in the above application and hereby grants power of attorney to all registered practitioners included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and directs that all correspondence be addressed to that Customer Number.

**Customer Number: 09629**

Please direct all inquiries to:

Bonnie Weiss McLeod, Ph.D., Esq.  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
202-739-3000



Certificate under 37 C.F.R. 3.73(b)

NANOGEN, INCORPORATED certifies that it is the assignee of the entire right, title and interest in the patent application identified above. An assignment from the inventors of the patent application identified above was recorded as indicated above. To the best of the undersigned's knowledge and belief, title is in the assignee identified above. The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001. Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted  
NANOGEN, INCORPORATED

Dated: \_\_\_\_\_

12/09/02

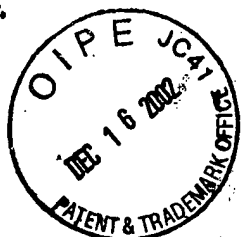
By: \_\_\_\_\_

*[Signature]*

Title: \_\_\_\_\_

*Sr. Dir IP*

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FEBRUARY 28, 2001



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PTAS



\*101557555A\*

LYON & LYON LLP  
PATRICK S. EAGLEMAN  
633 WEST FIFTH STREET, SUITE 4700  
LOS ANGELES, CA 90071-2066

UNITED STATES PATENT AND TRADEMARK OFFICE  
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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/28/2000

REEL/FRAME: 011343/0543  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS)

ASSIGNOR:  
JALALI, SHILA

DOC DATE: 11/16/2000

ASSIGNOR:  
EWALT, KARLA

DOC DATE: 11/16/2000

ASSIGNOR:  
SWANSON, PAUL

DOC DATE: 11/16/2000

ASSIGNOR:  
DWYER, BRIAN

DOC DATE: 11/16/2000

ASSIGNOR:  
HELLER, MICHAEL J.

DOC DATE: 11/20/2000

ASSIGNOR:  
HAVENS, JOHN

DOC DATE: 11/15/2000

ASSIGNOR:  
TU, EUGENE

DOC DATE: 11/17/2000

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011343/0543 PAGE 2

ASSIGNEE:

NANOGEN, INC.

10398 PACIFIC CENTER COURT  
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 09724836

PATENT NUMBER:

FILING DATE:

ISSUE DATE:

STEVEN POST, EXAMINER

ASSIGNMENT DIVISION

OFFICE OF PUBLIC RECORDS

FORM PTO-1595  
1-31-92

12-21-2000

U.S. DEPARTMENT OF  
COMMERCE  
Patent and Trademark Office

Docket No. 257/116

101557555

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Shila Jalali, Karla Ewalt, Paul Swanson, Brian Dwyer, Michael J. Heller, John Havens and Eugene Tu

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party:

Name: Nanogen, Inc.

Internal Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Street Address: 10398 Pacific Center Court

City: San Diego State: CA Zip: 92121

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other \_\_\_\_\_

Execution Date: 11/16/00; 11/16/00; 11/16/00; 11/16/00; 11/20/00;  
11/15/00; 11/17/00

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: November 28, 2000

A. Patent Application No(s):

B. Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David B. Murphy or Patrick S. Eagleman

Internal Address: LYON & LYON LLP  
633 West Fifth Street, Suite 4700  
Los Angeles, CA 90071-2066

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):

\$ 40.00

☐ Enclosed

☒ Charge this Deposit Account if any additional fee is required

8. Deposit Account Number: 12-2475

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Patrick S. Eagleman, Reg. No. 44,665

Date: November 28, 2000

Total number of pages including cover sheet: 7

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Director — U.S. Patent and Trademark Office

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2/20/2000 NTHA11 00000575 122475 09724836

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, **SHILA JALALI**, a citizen of the UNITED STATES; **KARLA EWALT**, a citizen of the UNITED STATES; **PAUL SWANSON**, a citizen of the UNITED STATES; **BRIAN DWYER**, a citizen of the UNITED STATES; **MICHAEL J. HELLER**, a citizen of the UNITED STATES, **JOHN HAVENS**, a citizen of the UNITED STATES, and **EUGENE TU**, a citizen of the UNITED STATES (hereinafter referred to as "ASSIGNORS"), have invented a certain invention entitled **MICROTITER PLATE FORMAT DEVICE AND METHODS FOR SEPARATING DIFFERENTLY CHARGED MOLECULES USING AN ELECTRIC FIELD** for which application for Letters Patent of the United States of America has been executed on even date herewith; and

WHEREAS, **NANOGEN, INC.**, a corporation organized and existing under and by virtue of the laws of the State of **Delaware** and having its place of business at **10398 Pacific Center Court, San Diego, California 92121** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be

obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at San Diego, California, this 16 day of November, 2000.

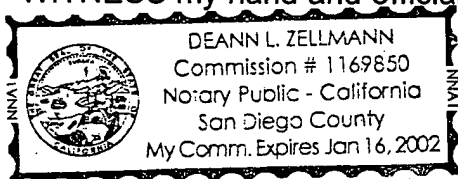
Shila Jalali  
SHILA JALALI

STATE OF CALIFORNIA           )  
  ) ss  
COUNTY OF SAN DIEGO       )

On 11/16/00 before me, DEANN L. ZELLMANN, personally appeared  
SHILA JALALI

☒ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Deann L. Zellmann  
Notary Public in and for said County and State

WITNESS my hand at San Diego, California, this 16 day of November, 2000.

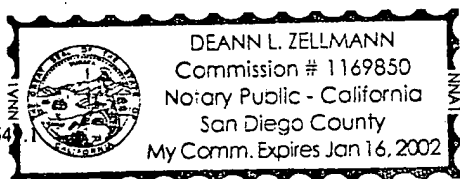
Karla Ewalt  
KARLA EWALT

STATE OF CALIFORNIA           )  
  ) ss  
COUNTY OF SAN DIEGO       )

On 11/16/00 before me, DEANN L. ZELLMANN, personally appeared  
KARLA EWALT

☒ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



OC-6754

Deann L. Zellmann  
Notary Public in and for said County and State



WITNESS my hand at San Diego, California, this 16<sup>th</sup> day of November, 2000.

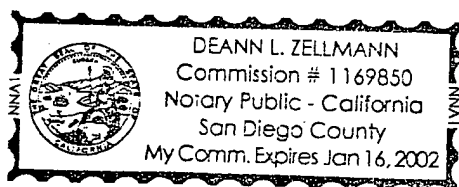
*Paul Swanson*  
PAUL SWANSON

STATE OF CALIFORNIA       )  
  ) ss  
COUNTY OF SAN DIEGO     )

On 11/16/00 before me, DEANN L. ZELLMANN, personally appeared  
PAUL SWANSON

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



*Deann L. Zellmann*  
Notary Public in and for said County and State

WITNESS my hand at San Diego, California, this 16 day of November, 2000.

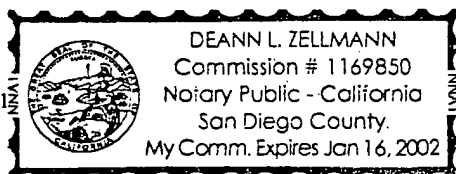
*Brian Dwyer*  
BRIAN DWYER

STATE OF CALIFORNIA       )  
  ) ss  
COUNTY OF SAN DIEGO     )

On 11/16/00 before me, DEANN L. ZELLMANN, personally appeared  
BRIAN DWYER

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



OC-67549.12

*Deann L. Zellmann*  
Notary Public in and for said County and State

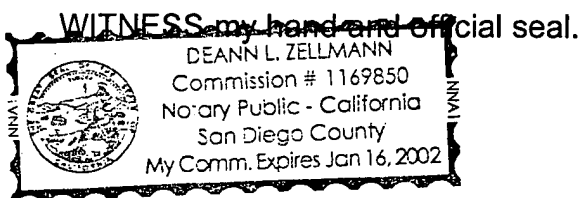
WITNESS my hand at San Diego, California, this 20 day of Nov., 2000.

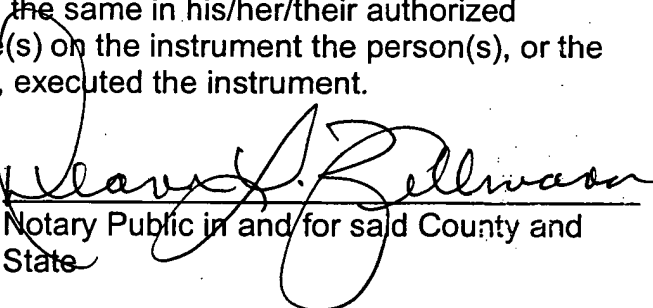
  
MICHAEL J. HELLER

STATE OF CALIFORNIA           )  
  ) ss  
COUNTY OF SAN DIEGO       )

On 11/20/00 before me, DEANN L. ZELLMANN, personally appeared  
MICHAEL J. HELLER

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



  
Notary Public in and for said County and State

WITNESS my hand at San Diego, California, this 15<sup>th</sup> day of Nov, 2000.

  
JOHN HAVENS

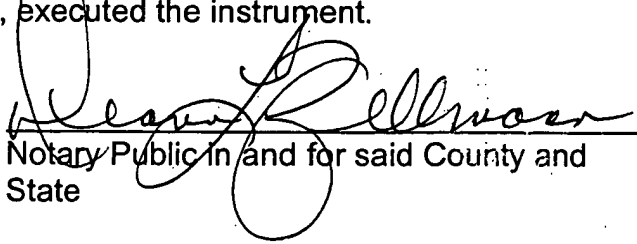
STATE OF CALIFORNIA           )  
  ) ss  
COUNTY OF SAN DIEGO       )

On 11/15/00 before me, DEANN L. ZELLMANN, personally appeared  
JOHN HAVENS

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



  
Notary Public in and for said County and State

WITNESS my hand at San Diego, California, this 17 day of Nov, 2000.

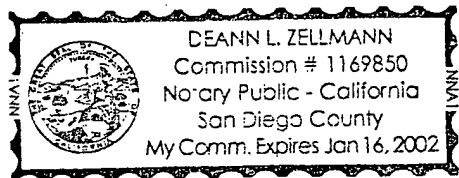
  
EUGENE TU

STATE OF CALIFORNIA           )  
  ) ss  
COUNTY OF SAN DIEGO       )

On 11/7/00 before me, DEANN L. ZELLMANN, personally appeared  
EUGENE TU

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



  
Notary Public in and for said County and  
State